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Attorneys for Defendant and Counterclaimant
Milk Moovement, Inc. and Defendant
Milk Moovement, LLC

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DAIRY, LLC, a Delaware Limited Liability
Company,

Plaintiff/Counterdefendant

vs.

MILK MOOVEMENT, INC., a foreign
Corporation, and MILK MOOVEMENT,
LLC, a Delaware Limited Liability
Company,

Defendants/Counterclaimants.

Case No. 2:21-cv-02233-WBS-AC

Magistrate Judge Allison Claire

**DAIRY, LLC'S WITHDRAWAL
OF MOTIONS TO COMPEL
(ECF NOS. 86 & 96) AND
STIPULATED REQUEST TO
VACATE JOINT-STATEMENT
REFILING DEADLINE
(ECF NO. 125)**

1 Plaintiff and Counterclaim-Defendant Dairy, LLC (“Dairy”) and Defendant Milk
2 Moovement, LLC (“MM-LLC”) and Defendant and Counterclaim-Plaintiff Milk Moovement, Inc.
3 (“MMI”) (MM-LLC and MMI collectively referred to as “Milk Moovement” and, with Dairy, the
4 “Parties”) hereby stipulate as follows:

5 WHEREAS, Dairy noticed one motion to compel discovery from MMI, filed as
6 ECF No. 86 (“MTC No. 1”) and one motion to compel discovery from Milk Moovement, filed at
7 ECF No. 96 (“MTC No. 2”);

8 WHEREAS, the relevant Parties filed a joint statement regarding MTC No. 1 at
9 ECF No. 95 and a joint statement regarding MTC No. 2 at ECF No. 108 (together, the “Joint
10 Statements”);

11 WHEREAS, the Court rejected the Joint Statements because they “exceed[ed] the court’s
12 page limits and no advance leave of court was sought for such excess briefing” and ordered the
13 Parties to: (1) “re-file joint statements that comply with the court’s page restrictions (or seek
14 advance leave to file excess briefing) by September 6, 2022,” and (2) “meet and confer and revise
15 the joint statements as necessary in light of the court’s order denying the motion for a protective
16 order at ECF No. 121,” ECF No. 125 at 1–2; and

17 WHEREAS, the Parties have met and conferred and reached an interim agreement, which
18 they believe should resolve some or all of the issues raised in the Joint Statements.

19 THEREFORE, the Parties, through their undersigned counsel and subject to the Court’s
20 approval, stipulate as follows:

- 21 1. The September 6, 2022 deadline to refile the Joint Statements or seek leave
22 to file excess briefing be vacated; and
- 23 2. Dairy withdraws MTC No. 1 and MTC No. 2 without prejudice to filing a
24 motion to compel on a future date regarding the same or similar subject
25 matter as those two motions.

26 ///

27 ///

IT IS SO STIPULATED through Counsel of Record.

Dated: September 6, 2022

WILLKIE FARR & GALLAGHER LLP

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Jonathan A. Patchen

Daniel P. Martin

Erica S. Miranda

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By: /s/ Jonathan A. Patchen

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Attorneys for Plaintiff

DAIRY, LLC

Dated: September 6, 2022

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Counterclaimant

MILK MOOVEMENT, INC. and

Defendant MILK MOOVEMENT, LLC

IT IS SO ORDERED that the foregoing Stipulation is approved and the September 6, 2022 deadline to refile the Joint Statements is vacated.

DATED: September 6, 2022.

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE